

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NATASHA TAFT

Plaintiff,

v.

AGRICULTURAL BANK OF CHINA LIMITED,

Defendant.

Case No. 15-CV-05321 (PAE)

Hon. Paul A. Engelmayer

**SUPPLEMENTAL DECLARATION OF KIMBERLY A. HAVIV IN
SUPPORT OF DEFENDANT’S MOTION TO DISMISS
CLAIM II OF THE SECOND AMENDED COMPLAINT**

I, Kimberly A. Haviv, hereby declare under penalty of perjury as follows:

1. I am an associate with the firm of White & Case LLP, counsel for Agricultural Bank of China Limited (“ABC” or “Defendant”) in the above-captioned proceedings. I am a member in good standing with the State Bar of New York. My business address is 1155 Avenue of the Americas, New York, New York 10036.
2. I submit this supplemental declaration in support of Defendant’s Motion to Dismiss Claim II of the Second Amended Complaint. The statements set forth below are based upon information and belief formed after a reasonable investigation.
3. Attached hereto as Exhibit A is a true and correct copy of SR 08-08, a letter from the Board to the Federal Reserve Banks dated October 16, 2008, as retrieved from <http://www.federalreserve.gov/boarddocs/srletters/2008/sr0808.htm> on March 8, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 9, 2016.

/s/ Kimberly A. Haviv

Kimberly A. Haviv

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